

JAN 12 2007

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**SCULLY, SCOTT, MURPHY
& PRESSER, P.C.**

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To: Examiner Dan Sung C. Cho
USPTO
Art Unit: 1634
Confirmation No.: 2289

From: Xiaochun Zhu, Ph.D.

Fax: (571) 273-8300

Pages: 25 (including cover)

Phone:

Date: January 12, 2007

Re: Robert James, et al.
U.S. Patent Appln. No. 10/800,322
Filed: March 12, 2004
NUCLEIC ACID MARKERS FOR
USE IN DETERMINING
PREDISPOSITION TO NEOPLASM
AND/OR ADENOMA
Our Docket: 17530

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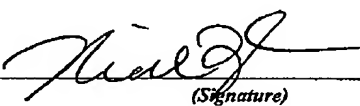
The following is attached herewith:

1. Amendment Transmittal (in duplicate)
2. Response Under 37 C.F.R. §1.121
3. Certificate of Facsimile

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JAN 12 2007

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No. 17530	
Applicant(s): Robert James, et al.				
Application No. 10/800,322	Filing Date March 12, 2004	Examiner Dan Sung C. Cho	Group Art Unit 1634	
Invention: NUCLEIC ACID MARKERS FOR USE IN DETERMINING PREDISPOSITION TO NEOPLASM AND/OR ADENOMA				
<p>I hereby certify that this <u>Response Under 37 C.F.R. 1.121</u> (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(571) 273-8300</u>) on <u>January 12, 2007</u> (Date)</p> <p style="text-align: right;"><u>Xiaochun Zhu</u> (Typed or Printed Name of Person Signing Certificate)</p> <p style="text-align: right;"> (Signature)</p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>				

P18/REV02

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JAN 12 2007
Docket No.
17530

AMENDMENT TRANSMITTAL LETTER (Small Entity)

Applicant(s): Robert James, et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/800,322	March 12, 2004	Dan Sung C. Cho	23389	1634	2289

Invention: **NUCLEIC ACID MARKERS FOR USE IN DETERMINING PREDISPOSITION TO NEOPLASM AND/OR ADENOMA**

COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

☒ Applicant claims small entity status. See 37 CFR 1.27

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	117 -	117 =	0	x \$25.00	\$0.00
INDEP. CLAIMS	34 -	34 =	0	x \$100.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

☒ No additional fee is required for amendment.

☐ Please charge Deposit Account No. _____ in the amount of _____

☐ A check in the amount of _____ to cover the filing fee is enclosed.

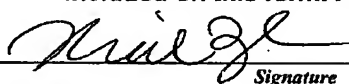
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☒ Any additional filing fees required under 37 C.F.R. 1.16.

☒ Any patent application processing fees under 37 CFR 1.17.

☐ Payment by credit card. Form PTO-2038 is attached.

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Signature

Xiaochun Zhu
Registration No. 56,311
Scully, Scott, Murphy & Presser, P.C.
400 Garden City Plaza-STE 300
Garden City, New York 11530
(516) 742-4343

cc: XZ:ab

Dated: January 12, 2007

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(Date)

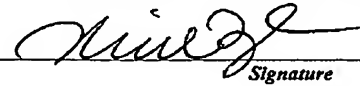
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AMENDMENT TRANSMITTAL LETTER (Small Entity)					Docket No. 17530	
Applicant(s): Robert James, et al.						
Application No. 10/800,322	Filing Date March 12, 2004	Examiner Dan Sung C. Cho	Customer No. 23389	Group Art Unit 1634	Confirmation No. 2289	
Invention: NUCLEIC ACID MARKERS FOR USE IN DETERMINING PREDISPOSITION TO NEOPLASM AND/OR ADENOMA						
<u>COMMISSIONER FOR PATENTS:</u>						
Transmitted herewith is an amendment in the above-identified application.						
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27						
The fee has been calculated and is transmitted as shown below.						
CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	117 -	117 =	0	x \$25.00	\$0.00	
INDEP. CLAIMS	34 -	34 =	0	x \$100.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00	
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-1013/SSMP <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
 Signature			Dated: January 12, 2007			
Xiaochun Zhu Registration No. 56,311 Scully, Scott, Murphy & Presser, P.C. 400 Garden City Plaza-STE 300 Garden City, New York 11530 (516) 742-4343			<div style="border: 1px solid black; padding: 5px;"> I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" (37 CFR 1.8(a)) on _____ (Date) _____ Signature of Person Mailing Correspondence _____ Typed or Printed Name of Person Mailing Correspondence </div>			
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Robert James, et al.	Examiner:	Dan Sung C. Cho
Serial No.:	10/800,322	Art Unit:	1634
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Confirmation No.: 2289

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

RESPONSE UNDER 37 C.F.R. § 1.121


Sir:

In connection with the above-identified application, Applicants submit the following preliminary amendment for entry of record.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to (571)-273-8300 at the Patent and Trademark Office on the date shown below.

Dated: January 12, 2007


Xiaochun Zhu

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